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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**FEDERAL TRADE COMMISSION,**

Plaintiff,

v.

**SEQUOIA ONE, LLC, *et al.*,**

Defendants.

**Case No. 2:15-cv-01512-JCM-CWH**

**PLAINTIFF'S MOTION TO  
STRIKE DEFENDANT  
KOTZKER'S AFFIRMATIVE  
DEFENSES AND JURY DEMAND**

Plaintiff Federal Trade Commission ("FTC") respectfully moves the Court, pursuant to Rule 12(f)(1), to strike Defendant Jason Kotker's affirmative defenses and jury demand. The accompanying memorandum of points and authorities demonstrates that all six of Kotzker's affirmative defenses are 1) redundant or immaterial to the issues of this case; 2) insufficient as a

1 matter of law; and/or 3) not properly pleaded, and should thus be stricken. Moreover, the Court  
2 should strike his jury demand because the FTC's case is purely equitable in nature. A proposed  
3 order is attached hereto.

4 Dated: February 24, 2016

Respectfully submitted,

5 JONATHAN E. NUECHTERLEIN  
6 General Counsel

7  
8 /s/Gregory A. Ashe  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on February 24, 2016, true and correct copies of (1) **PLAINTIFF'S MOTION TO STRIKE DEFENDANT KOTZKER'S AFFIRMATIVE DEFENSES AND JURY DEMAND**, (2) **PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ITS MOTION TO STRIKE DEFENDANT KOTZKER'S AFFIRMATIVE DEFENSES AND JURY DEMAND**, and (3) [proposed] **ORDER STRIKING DEFENDANT KOTZKER'S AFFIRMATIVE DEFENSES AND JURY DEMAND** were filed electronically with the United States District Court for the District of Nevada using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

/s/Gregory A. Ashe

Attorney for Plaintiff Federal Trade Commission